

Docket No.: M4065.0107/P107-F
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Howard E. Rhodes et al.

Application No.: 10/761,319

Confirmation No.: 2671

Filed: January 22, 2004

Art Unit: 2622

For: RETROGRADE WELL STRUCTURE FOR A
CMOS IMAGER

Examiner: Chia W. A. Chen

REMARKS ACCOMPANYING TERMINAL DISCLAIMER

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REMARKS

Claims 70-79 stand rejected on the ground of nonstatutory obviousness-type double patenting over claims 36-45 of U.S. Patent No. 6,310,366 ("Rhodes et al."). Claims 120-130 stand rejected on the ground of nonstatutory obviousness-type double patenting over claims 20-35 of Rhodes et al. in view of U.S. Patent 5,471,515 ("Fossum"). In view of the terminal disclaimer to Rhodes et al. submitted herewith, the rejections should be withdrawn.

Dated: January 12, 2009

Respectfully submitted,

By 
Thomas J. D'Amico

Registration No.: 28,371

Ryan H. Flax

Registration No.: 48,141

DICKSTEIN SHAPIRO LLP

1825 Eye Street, NW

Washington, DC 20006-5403

(202) 420-2200

Attorneys for Applicants